

suspects were later captured by local law enforcement, and the gunman later pled guilty to capital murder and was sentenced to life without the possibility of parole.

Officer Charron is survived by his parents, Robert and Frances, his two brothers; Robert and Andrew, and his two sisters; Amanda and Bethany.

Madam Speaker, every day police officers throughout New Hampshire and the nation don their uniforms and serve with honor and courage. I urge my colleagues to support S. 1896 today to help ensure that we don't forget the sacrifice made by this brave young man, a hero in New Hampshire and a true American hero.

Mr. WESTMORELAND. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and pass the Senate bill, S. 1896.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures on the morning of December 18, 2007. If I were present for rollcall votes, I would have voted "yea" on each of the following bills: rollcall 1174, rollcall 1175, rollcall 1176, and rollcall 1177.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764, THE DEPARTMENT OF STATE, FOREIGN OPERATIONS AND RELATED PROGRAMS APPROPRIATIONS ACT, 2008 (CONSOLIDATED APPROPRIATIONS ACT, 2008) AND FOR CONSIDERATION OF H.J. Res. 72, FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2008

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110-498) on the resolution (H. Res. 893) providing for the consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for consideration of the joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2008, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 3996, TAX INCREASE PREVENTION ACT OF 2007

Mr. WELCH of Vermont, from the Committee on Rules, submitted a privileged report (Rept. No. 110-499) on the resolution (H. Res. 894) providing for consideration of the Senate amendment to the bill (H.R. 3996) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. WELCH of Vermont. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 876 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 876

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on or before the legislative day of December 19, 2007, providing for consideration or disposition of any of the following measures:

- (1) A bill relating to the Children's Health Insurance Program, or an amendment thereto.
- (2) A bill relating to Medicare, or an amendment thereto.
- (3) A bill relating to the alternative minimum tax, or an amendment thereto.
- (4) A joint resolution making further continuing appropriations for the fiscal year 2008, or an amendment thereto.
- (5) The bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes, or an amendment thereto.

The SPEAKER pro tempore. The gentleman from Vermont is recognized for 1 hour.

Mr. WELCH of Vermont. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Mr. WELCH of Vermont. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous material in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WELCH of Vermont. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H. Res. 876 waives a requirement of clause 6(a) of rule XIII.

That rule, as you know, requires a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee. This will allow for the same-day consideration, today, of any resolution reported on or before the legislative day of December 19, 2007. It provides for the consideration or disposition of, one, a bill relating to the Children's Health Insurance Program and a bill relating to Medicare, something that at this point is moot in view of earlier proceedings today. But it also has an application on a bill relating to the alternative minimum tax; a joint resolution making further continuing appropriations for fiscal year 2008, the so-called CR; and the bill, H.R. 2764, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, the so-called omnibus appropriations bill.

With passage of this rule, it allows the House to move one step closer to passing this omnibus appropriations bill that will fund the government outside of the Department of Defense. That, of course, we have already completed our work on and it has been signed into law by the President. And it will provide for funding for the entire fiscal year of 2008. It will also take us one step forward towards considering and passing a patch for the alternative minimum tax, which will affect, unnecessarily and unwisely, 23 million American families. They would be subject to paying a tax that was never intended for middle-class working families.

All of these bills, obviously, are crucially important pieces of legislation that Congress must act on before we go home, and we owe it, obviously, to the American people to get this work done.

The omnibus bill is going to reject enormous cuts that had been proposed by the President in his draft budget, cuts to essential domestic priorities such as health care, education, law enforcement, homeland security, highway infrastructure, and renewable energy programs. That omnibus bill instead does invest in crucial domestic priorities: medical research to study diseases like Alzheimer's, cancer, Parkinson's, and diabetes; health care access, including programs like the Community Health Centers that provide more access to health care to underinsured Americans. Small rural hospitals will be helped. Special education, teacher quality grants, afterschool programs, and Head Start; Pell Grants and other student aid programs; technical training at high schools and community colleges; State and local law enforcement for communities across the country; Homeland Security grants to help fight in the war on terror. This meets the guaranteed levels for higher infrastructure and adds funding to our Nation's bridges. It also provides funding for solar energy, wind energy, biofuels and energy efficiency with a careful blend of new scientific investments and conservation efforts.

This same-day rule will take us one step closer to completing our work this year.

Madam Speaker, I reserve the balance of my time.

Mr. SESSIONS. I want to thank the gentleman, my friend from Vermont, for yielding. And, Madam Speaker, I yield myself such time as I may consume.

"I rise in strong opposition to this martial law rule and in opposition to the outrageous process that continues to plague the United States House of Representatives. We have before us a martial law rule that allows the leadership to once again ignore the rules of the House and the procedures and the traditions of this House. Martial law is no way to run a democracy no matter what your ideology, no matter what your party affiliation."

Madam Speaker, those are not my words nor are they the words of my Republican colleague from the Rules Committee, Congressman LINCOLN DIAZ-BALART, who spoke these same words on the floor on Monday. They are not the words of my staff or some journalist who is covering the Democrat majority heavy-handed floor tactics. No. These are the clear and clever words of the gentleman from Massachusetts, our Rules Committee colleague, JIM MCGOVERN. He spoke these words on several occasions last year regarding what was then eloquently called "martial law rule."

I will also use this opportunity to point out another comment that the gentleman from Massachusetts made about martial law rules.

□ 1200

His quote is particularly interesting because it was given to each of us on this floor last year on December 6, just a month before the Democrats took control of the House of Representatives, well after the election. He spoke about how the Democrats proposed to run the House, which today stands in sharp contrast to what they are actually doing.

About 1 year ago, the gentleman from Massachusetts said, "Mr. Speaker, there is a better way to run this body. The truth, Mr. Speaker, is that the American people expect and deserve better. That is why the 110th Congress must be different. I believe we need to rediscover openness and fairness in the House. We must insist on full and fair debate on the issues that come before this body."

Now, I and all of my Republican colleagues must ask, a year into the new Democrat majority, where is the openness and fairness that Mr. MCGOVERN spoke about? Where is the openness on the energy bill rule where over 90 amendments were prevented from being considered on the House floor, including a Republican substitute? Where was that openness when we considered SCHIP reauthorization and, what, we had a closed rule?

I can help my colleagues on the other side of the aisle to find out because I

know exactly where it is; they left it off on the campaign trail. This, like their promises to disclose earmarks and to run the most ethical and open Congress in history, was an empty promise. It is an empty promise which is becoming more and more evident from the opening day of this new majority, when the Democrats wrote into the rules of the House closed rules for consideration of the first six bills that we were to take up, in effect, discharging the Rules Committee from its duties and setting a new partisan tone for this Congress. Not much has changed since then, Madam Speaker.

Lacking the courage of their convictions to change what they perceived to be problems with how Republicans ran the House, the Democrat remedy for changing unfair practices in the Rules Committee was to have no Rules Committee at all. And that trend of closing down the House to Members that started back then, sadly, continues to this day.

Madam Speaker, there is a better way to run this body. The truth is is that the American people expect and deserve better. That's why the 110th Congress must be different. I believe we must and we need to rediscover openness and fairness in this House. We must insist on full and fair debate on the issues that come before this body.

Oh, by the way, following the rules of the House of at least presenting a bill 24 hours before it comes to the House floor would be a great place to start, because I know it's on the Speaker's Web site saying that that's the way we should operate. We're still waiting.

Madam Speaker, a year ago at this time, despite the House passing all but one of our spending bills, Democrats were on the campaign trail railing against Republican leadership, calling it a "do-nothing" Congress. Well, if last year was a failure because of Congress' ability to get all but one appropriations bill to the President for his signature on time, then what does that mean that this year we should think about Democrats when Democrats have failed to get more than one to the President after holding back popular bipartisan bills like veterans funding for their own political partisan gamesmanship?

Madam Speaker, I agree with the Democrats of 2006, not the Democrats of 2007. So, I rise in opposition to this martial law rule.

Madam Speaker, I reserve the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, we have no additional speakers on this side. I reserve the balance of my time.

Mr. SESSIONS. Madam Speaker, I think we've said enough. I yield back the balance of my time.

Mr. WELCH of Vermont. Madam Speaker, I thank my friend from Texas. And I will respond and close.

A couple of things. First, let's be focused on the fact that the rule that is going to be before the House really ap-

plies to two things: consideration of the alternative minimum tax and consideration of the omnibus appropriations bill. And the rule is being brought up for same day consideration in recognition of the fact that there has been enormous work on both sides on the AMT. There is nothing new. And, in fact, the AMT bill that will be brought before the House for consideration today corresponds with the view of the minority as to that being passed without pay-fors.

And secondly, the omnibus appropriations bill is bringing before the House appropriations that had been passed in 11 separate appropriations bills but have now been consolidated as a result of the inability of our friends in the Senate to pass those bills individually as we did here in the House. So, there is nothing new that is coming up before the Members of the House. It's just the convenience of being able to act today rather than wait until tomorrow.

Secondly, my friend from Texas made some assertions about the conduct of this House in application to the rules. You know, context is everything. The reality is that virtually every piece of legislation that has been brought before the floor has received bipartisan support. Many of the items that the gentleman mentioned in the "Six for '06" legislative agenda, student loan cost reduction, price negotiations for prescription drugs, the restoration of the PAYGO rule, these were passed with overwhelming support on the Democratic side and substantial support on the Republican side. When they got to the other body, the Senate has been using, frankly, politics of obstruction to stop virtually anything from being considered: the filibuster, the hold. Every device available procedurally to avoid taking up a "yes" or "no" vote on a question has been employed by the Senate. And there is a sense by many on our side that the criticism that my friend from Texas is making that we have not done as much as we should in Congress, despite the fact that we in the House have passed substantial legislation helping the bottom line for American families, has been an explicit strategy on the part of the other side to use every rule, every device, every procedural opportunity basically to thwart passage of legislation. And they have the full and complete support of the President of the United States in that effort, who stands behind the whole agenda with the veto pen.

And the President appears to many of us to be operating on a one-third-plus-one approach where, as long as he can get his veto sustained, he will be able to block passage of legislation the American people need and then accuse the Congress of not getting anything done. And I think most Americans see through that.

So, Madam Speaker, with the passage of this rule, the House will move towards adjournment for this year and

have an opportunity to pass the omnibus appropriations bill and the AMT fix.

I urge a "yes" vote on the previous question and the rule.

Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO H.R. 2764, CONSOLIDATED APPROPRIATIONS ACT, 2008

Mr. MCGOVERN. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 893 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 893

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2764) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2008, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 72) making further continuing appropriations for the fiscal year 2008, and for other purposes. All points of order against consideration of the joint resolution are waived except those arising under clause 9 or 10 of rule XXI. The joint resolution shall be considered as read. All points of order against provisions of the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations; and (2) one motion to recommit.

SEC. 3. During consideration of House Joint Resolution 72 or the motion to concur pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of either measure to such time as may be designated by the Speaker.

SEC. 4. House Resolution 849 is laid upon the table.

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for 1 hour.

Mr. MCGOVERN. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume.

GENERAL LEAVE

Mr. MCGOVERN. Madam Speaker, I ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 893.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. Madam Speaker, H. Res. 893 provides for consideration of two measures, an amendment to the omnibus appropriations bill to provide funding for the wars in Iraq and Afghanistan and a continuing resolution. Each measure is debatable for 1 hour.

The continuing resolution is necessary to keep the government open and running while the omnibus bill is processed and sent to the White House for the President's signature.

Madam Speaker, while I have no problem with the rule that is before us, I cannot support the underlying funding for Iraq. The tens of billions in new money for the war in Iraq has no time-tables for withdrawal, no limitations, no requirements that the Iraqi Government make progress towards reconciliation, no benchmarks, no conditionality, nothing. Madam Speaker, this is a blank check.

The new money in this bill represents one cave-in too many. It is an endorsement of George Bush's policy of endless war. It is stunning that so many have gone along for so long asking no questions, giving this President everything he wants.

After years of Bush ineptitude, how dare this Congress provide another blank check for this administration. No weapons of mass destruction, a constantly changing rationale for our occupation, benchmarks for the Iraqi Government that never get met, no democracy, no respect for human rights, no reconciliation, a government plagued with corruption, and no end in sight. All this, Madam Speaker, and some of my colleagues still say, "stay the course."

Our brave men and women in uniform have done their job. So many have sacrificed, and far too many have made the ultimate sacrifice. They have been successful in some areas of Iraq in quelling some of the violence, essentially providing the chance, the window of opportunity for the Iraqi Government to move ahead with efforts for reconciliation.

□ 1215

The response of the Iraqi Government has been to do nothing. No reconciliation.

Isn't our responsibility, as Members of Congress, to raise questions?

Shouldn't we put pressure on the Iraqi Government to do more? And shouldn't we put pressure on our own government to not be such a cheap date? Don't we owe our soldiers whom we put in harm's way better than acquiescence to a Commander in Chief who is incapable of ever admitting error?

Madam Speaker, there is no military victory to be had in Iraq. To the extent that this awful situation becomes less awful depends on political progress, something the Maliki government doesn't want to do, and something our own leaders seem willing to keep putting off.

I want more, Madam Speaker, I expect more, for the sacrifice our troops have made. Quite frankly, the status quo is not worth one more American dollar or one more drop of American blood. I am sick to my stomach when I think of the hundreds of billions of dollars that we have already spent in Iraq while we nickel and dime our own people at home. None of this war is paid for. It is all borrowed money. It's all on the backs of our kids. It's all debt that is being bought up every day by China.

Madam Speaker, I long for the day when we have a President who will threaten a veto on a bill that fails to provide all our people with health care, or that fails to adequately fund education for our children. Instead, we have a White House that engages in blackmail tactics: Give me what I want on Iraq, with no strings attached, or I'll shut the government down.

Those who defend the status quo say that we need to give the President whatever he wants so we can assure "victory." "Victory" at the beginning of this war was ridding Saddam Hussein of weapons of mass destruction. When we found that there were none, the definition of "victory" changed. In fact, over the last 5 years, the definition of "victory" has changed several times.

For me, the closest thing to victory is ending this war, getting an Iraqi Government that puts national reconciliation above its own self-interest and getting our troops out of that country and home to their families where they belong. I believe the surest way to get that type of victory is setting a firm timetable for the U.S. occupation of Iraq to end. It will change the dynamic, and it will force the Iraqi Government to embrace, rather than avoid, reconciliation.

In fact, in today's Washington Post, the U.S. military has found that the strongest point of agreement among all Iraqis across all sectarian and ethnic groups is the belief that the U.S. military invasion of their country is the primary root of the violent differences among them and that the departure of "occupying forces," their words, is the key to national reconciliation.

Madam Speaker, the Iraqi people themselves firmly believe that reconciliation will not happen until we leave. If the Iraqi people want us to